

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DANIEL P. NOVAK and L & N SECURITY, INC.,	)	
	)	
Plaintiffs,	)	2:05-cv-897
v.	)	
	)	
CITY OF PITTSBURGH,	)	
	)	
Defendant.	)	

**ORDER OF COURT**

AND NOW, this 27th day of June, 2006, upon consideration of the CITY'S MOTION TO COMPEL (*Document No. 24*) and PLAINTIFF'S RESPONSE TO CITY OF PITTSBURGH'S MOTION TO COMPEL, with brief in support (*Document Nos. 25 & 26*), and it appearing that the relevance of Plaintiffs' tax records to this action is undisputed, *see* Pltfs' Response at ¶ 8, that Plaintiffs' factually unsupported assertion that the tax records could be obtained and verified by other means is not sufficient to meet Plaintiffs' burden of proof, *see id.* at ¶ 9; *see also Fort Washington Resources, Inc. v. Tannen*, 153 F.R.D. 78, 80 (E.D. Pa. 1994), that Plaintiffs have offered no argument or explanation in support of any failure to otherwise respond to the City's Requests for Production of Documents, and that the City is not required to execute the proposed Stipulated Confidentiality Order for the reasons cited in its Motion,

NOW THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED that the City's Motion to Compel is GRANTED. It is further ORDERED that Plaintiffs shall produce full and complete responses to the City's Requests for Production of Documents on or before Friday, July 7, 2006.

BY THE COURT:

s/ Terrence F. McVerry  
United States District Court Judge

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